

### **REMARKS**

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-9 are pending and stand rejected.

Claims 1-9 stand rejected under 35 USC 103(a) as being unpatentable over Ng (USP no. 5,146,325) in view of de Haan ("True-Motion Estimation with 3-D Recursive Search Block Matching), and further in view of Kikuchi (USP no.5,713,840).

The instant Office Action acknowledges that the amendments made to the claims in applicant's prior response had overcome the rejection of the claims under 35 USC 103(a) based on the combination of Ng and de Haan (see page 2, section 2) and introduced the Kikuchi reference to teach the claim element "providing an indication" recited in independent claims 1, 3, 4, 6 and 9 (see page 6, lines 4-5).

Applicant respectfully disagrees with, and explicitly traverses, the reason for rejecting the claims.

With regard to the Kikuchi reference, this reference discloses a video coding apparatus comprising a prediction circuit that divides an input video signal into large regions and small regions and products a prediction signal by performing prediction region by region. (see Abstract). Kikuchi further teaches, in col. 31, lines 1-61, that motion vectors are determined for smaller regions and flags are provided which indicate whether the flags are associated with smaller regions that are subdivided or not subdivided. More specifically, flag 725 indicates motion compensation prediction of a smaller region without region division (see col. 31, lines 13-14) and flag 725 indicates region division of a small region (see col. 31, lines 38-39). The flag is then used by the decoder to determine whether the signal associated with the small region was transmitted with or without region division. (see col. 32, lines 22-24, "[t]he decoder 825 decodes a flag 816 indicating which of region division and non-region division is used in small region motion compensation prediction.").

Contrary to the reason for rejecting the claims, Kikuchi fails to teach that a flag is provided to indicate that the prediction error is dependent upon the second motion vectors, as is recited in the claims. Rather, assuming that the second motion vectors and

the small region are the same, Kikuchi teaches providing an indicator to determine whether the small region is provided with or without region division. In this case, Kikuchi teaches a distinguishing between motion vectors of the same small region rather than distinguishing between large region and small region motion vectors.

A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

With reference to the subject matter recited in claim 1, Kikuchi fails to provide an indication to distinguish between large region and small region motion vectors. Hence, the combination of Ng, de Haan and Kikuchi fails to teach or suggest all the elements recited in the above referred-to claims.

Accordingly, the invention recited in claim 1 is not rendered obvious by the teachings of the cited reference, as the combined device fails to recite all the elements claimed in independent claim 1.

For at least this reason, applicant submits that the reason for the rejection of the claims has been overcome and respectfully requests that the rejection be withdrawn.

With regard to the remaining independent claims, these claims recite subject matter similar to that recited in claim 1 and were rejected citing the same references used in rejecting claim 1. Thus, the remarks made in response to the rejection of claim 1 are also applicable in response to the rejection of the remaining independent claims. For the remarks made with regard to the rejection of claim 1, which are reasserted, as if in full, in response to the rejection of the remaining independent claims, applicant submits that the reason for the rejection of these claims has been overcome and the rejection can no longer be sustained. For at least this reason, applicant respectfully requests withdrawal of the rejection and allowance of the claims.

The other claims in this application are each dependent from the independent claim discussed above and are therefore believed patentable for the same reasons.

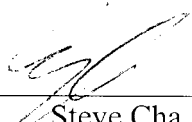
Since each dependent claim is also deemed to define an additional aspect of the invention, individual consideration of the patentability of each on its own merits is respectfully requested.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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